

Official Minutes for Webb County Commissioners Court Meeting

Monday, August 28, 2006 at 1:00 PM

(Approved on September 11, 2006)

- Item No. 1 Call to order by Judge Louis H. Bruni
Let it be remembered that a regular meeting of the Webb County Commissioners Court was held at 1:00 p.m. at the regular meeting place with the following members present to wit:

Louis H. Bruni	County Judge
Frank Sciaraffa	Commissioner, Pct. 1
Judith Gutierrez	Commissioner, Pct. 2
Jerry Garza	Commissioner, Pct. 3
Cindy Cortez-Brunner	Commissioner, Pct. 4

Thus constituting a quorum, the Commissioners Court proceeded to act upon the Agenda as posted in the meeting notice of the 25th of August 2006. Present also were Mrs. Imelda Diaz, Deputy County Clerk representing Mrs. Margie Ramirez Ibarra, Ex-officio Clerk of the Commissioners Court, various officers and others interested in the business of the Court.

- Item No. 2 Roll Call – Margie Ramirez Ibarra, Webb County Clerk
- Item No. 3 Pledge of Allegiance – Led by All
- Item No. 4 Approval of minutes – August 14, 2006

Judge Bruni motioned to approve item as submitted. Cmr. Gutierrez seconded the motion.

Motion carried 5-0 by unanimous consent.

- Item No. 5 Approval of Bills, Payroll and Monthly Reports

Ms. Carmen Moreno, representing Ms. Delia Perales, County Treasurer, directed the Court for any questions. Cmr. Gutierrez asked Ms. Moreno if the reports showed that the sales tax was better than what last year's showed. Ms. Moreno acknowledged.

Judge Bruni motioned to approve item as submitted. Cmr. Sciaraffa seconded the motion.

Motion carried 5-0 by unanimous consent.

Item No. 6 Communications

Cmr. Sciaraffa welcomed both Independent School District's Superintendents. He also welcomed both hospital directors.

Judge Bruni welcomed J.P. Oscar Martinez and J.P. Ricardo Rangel.

Cmr. Gutierrez and Cmr. Garza had no communications.

Cmr. Brunner asked for a moment of silence for Judge Alex Santos who had recently passed away.

Item No.7 Public Comment-This section provides the public the opportunity to address the Commissioners Court on any items on the Agenda. Members of the public wishing to participate must complete a Witness Card specifying which agenda item they wish to comment on. Each public member will be allowed a total of three (3) minutes within which to make any/all public comments.

Judge Bruni stated that any public comments would be allotted three minutes to speak.

Former County Judge Andy Ramos spoke on Item 6 under the Public Hearing agenda. He stated that if the Court could consider holding the tax rate for those 65 years of age and older and those who are disabled.

Anthony Peterson stated that he was against Item 6 under the Public Hearing agenda and that he was also in agreement with Former Judge Andy Ramos.

Counselor Carlos Zaffirini Sr. stated that he wanted to speak on Items 2,3,4 under the Addendum Agenda. He stated that he would like to explain to the Court that there would be no change brought forth to the Indigent Services Department and no cost impact to the county. He explained the procedure of how the change differs only to whom the County would be paying out the checks, which would be into an escrow account with the initiation date of October 1, 2004. He mentioned that he would like to clarify any misconceptions the media is giving. Judge Bruni stated that he had several questions, however, he would need to answer those questions till after Executive Session.

Item No.8 Discussion and possible action to authorize the purchasing agent to solicit Requests For Proposals to construct under the

"Design Build" concept a Community Center to service the Colonia La Presa and surrounding areas to be located on County-owned land adjacent to the Mangana-Hein Road. Construction funds are available under Park Development Series 2006.

Cmr. Gutierrez motioned to approve item as submitted. Cmr. Brunner seconded the motion.

Motion carried 5-0 by unanimous consent.

- Item No.9 Discussion and possible action to authorize the submission of a contract amendment of the Texas Department of Housing and Community Affairs TCDP Contract No. 724003- Webb County Self-Help Center Project. The contract amendment will allow the County to request a six-month extension to the existing contract and amend the Performance Statement. The proposed changes shall be executed at no cost to the county.

Cmr. Sciaraffa motioned to approve item as submitted. Cmr. Brunner seconded the motion.

Motion carried 5-0 by unanimous consent.

- Item No. 10 Discussion and possible action authorizing the Purchasing Agent to solicit a Request for Proposals (RFP) for "Service Provider" as required by the Texas Department of Housing and Community Affairs (TDHCA) for the Proposed Fiscal Year 2007 – Self-Help Center Program (Webb County Community Action Agency) is currently the "Service Provider" for the Webb County Self – Help Center Program through November 1, 2006.

Cmr. Sciaraffa motioned to approve item as submitted. Cmr. Brunner seconded the motion.

Motion carried 5-0 by unanimous consent

- Item No. 11. Discussion and possible action to approve a line item transfer for Larga Vista Community Center:
From: Fuel & Lubricants 001-6103-6204 \$1,000.00
To: Repairs & Maint Vehicles 001-6103-6403 \$1,000.00

Cmr. Sciaraffa motioned to approve item as submitted. Cmr. Garza seconded the motion.

Motion carried 5-0 by unanimous consent.

Item No. 12. Status report from the Webb County Engineer on the following on-going projects:

- Water and Sewer Improvements Project on Colonias located on Hwy 359, and FM 1472 (Mines Road) and FM 3338 (Las Tiendas Rd)
- Proposed Webb County Morgue
- Santa Teresita Community Center located on Hwy 59
- Webb County Nutrition and Health Center
- Mirando and Bruni Paving Project
- Larga Vista Community Park improvements
- Villa Antigua Border Heritage Museum and Parking improvement Project
- Self Help Community Center Park Project
- Veterans Museum Project

Cmr. Gutierrez mentioned to the Court that Mr. Tomas Rodriguez, County Engineer, would brief the Court on status of itemized projects. Mr. Rodriguez explained that on water and sewer improvements project for Hwy 359, there was going to be a meeting at 1:30 p.m. to review status of project. He stated that for FM 1472 there was yet no commitment. Cmr. Gutierrez stated that she read what Mr. Keith Kendall, Project Engineer said that there was a 5-6 million dollar shortfall on this project. She mentioned that the money was already provided and it was to provide water and sewer services for Colonia residents first than developers. She mentioned that these monies were approved since 1990 and the City of Laredo has the obligation and owe residents of the Colonias an explanation as to why the completion of project has not be done. She stated that she would like Mr. Rodriguez to set a meeting with Larry Dovalina, City Manager, Mr. Keith Kendall, and anyone else from the Court that wishes to attend to talk about why the completion is being delayed. She mentioned that she would call Senator Judith Zaffirini to let her know status of project.

Mr. Rodriguez mentioned on status of County Morgue Mr. Larry Dovalina would call him next week to give status on funds.

On the Sta. Teresita, Mr. Rodriguez mentioned that the lease agreement between the Diocese of Laredo and the County was at the County Attorney's office. He mentioned that Mr. Bratton had stated that he would give him agreement today. Mr. Rodriguez stated that he would take the agreement to the Diocese of Laredo for signature and until they execute the agreement then they could start process of construction.

Nutrition and Health Center is on the today's agenda.

On the Mirando and Bruni Paving Project, Mr. Rodriguez stated that Road & Bridge has stated working on project.

On the Larga Vista Community Park improvements, Mr. Rodriguez stated that Road & Bridge have already done all preliminary work on project. Cmr. Gutierrez mentioned that this project should be completed by end of this year.

On the Self Help Community Center Park, Mr. Rodriguez stated that they were 37 % finished. Cmr. Gutierrez stated that she would like to have a ground breaking ceremony so that residents could be aware that such park will be built. Cmr. Sciaraffa congratulated Cmr. Gutierrez on a job well done.

On the Veteran's Museum Project, Mr. Rodriguez stated that funding barely came in last week, therefore, a status report will be conducted on next Commissioner's Court meeting. Cmr. Gutierrez mentioned that Mr. Rodriguez needed to get together with County Attorney, Purchasing Agent, and Mr. Carlos Villarreal to see if item needs to be placed on the agenda for the purchasing of the property. She mentioned that purchase needs to be done before any improvements are done.

Item No. 13. Discussion and possible action to approve the following line item transfer:

From: Payroll acct #001-1011-5001 \$3,200.00

To: Incentive Pay Acct #001-1011-5002 \$3,200.00

From: Payroll acct #001-1011-5001 \$ 665.00

To: Sick Leave Buy Back acct #001-1011-5011 \$ 665.00

Cmr. Gutierrez motioned to approve item as submitted. Cmr. Sciaraffa seconded the motion.

Motion carried 5-0 by unanimous consent.

Item No. 14. Discussion and possible action to purchase 3 computers with printers and 3 fax machines from technology fund.

Cmr. Gutierrez motioned to approve item as submitted. Cmr. Brunner seconded the motion.

Justice of the Peace Oscar Martinez, thanked the Court. Mr. Leo Flores, County Auditor stated to the Court that he would help J.P. Martinez to change fund for the purchasing of the fax machines since no fax machines can be purchased through such account.

Motion carried 5-0 by unanimous consent.

Item No. 15. Discussion and possible action to enter into a Host Agency Agreement with SERJOBS For Progress National, Inc. which will provide Webb County with volunteers who will carry out light duty jobs at no cost to Webb County and authorizing the County Judge to sign all relevant documents. [Requested by Webb County Risk

Management Department.

Item No. 16. Discussion and possible action to accept 1 right of way, out of Laredo Ranchettes, Inc., Subdivision, 1 right-of-way out of Ranchos Penitas West Subdivision, 1 right-of-way out of Ranchitos IV Los Minerales, and one (1) right of way out of Ranchitos Los Centenarios Subdivision, and authorizing the County Judge to sign all relevant documents.

Item No. 17. Discussion and possible action to enter into a three (3) year (October 1, 2006 through September 30, 2009) software maintenance agreement with New World Systems Corporation for the following software application packages:

----- Law Enforcement Records Software

----- Public Safety Interface Software

----- Corrections Management Software

----- Business Office Software

----- Other Software for Public Safety

----- Public Safety Mug Shots

----- Data Management and Retrieval Tools

at a total cost of TWO HUNDRED TEN THOUSAND SIX HUNDRED AND THIRTY DOLLARS (\$210,630.00) and authorizing the County Judge to execute all relevant documents. [Requested by M.I.S. Department, Account No. 001-0500-6411 (Repairs and Maintenance Software)].

Item No. 18. Discussion and possible action to enter into a three (3) year (October 1, 2006 through September 30, 2009) software maintenance agreement with New World Systems Corporation for the following software application packages:

-----Financial Management Software

-----Human Resources Software

-----Utility Information Software

at a total cost of ONE HUNDRED FORTY THOUSAND SEVEN HUNDRED AND SIXTY DOLLARS (\$140,760.00) and authorizing the County Judge to execute all relevant documents. [Requested by M.I.S. Department, Account No. 001-0500-6411 (Repairs and Maintenance Software)]

Item No. 19. Discussion and possible action to enter into a three (3) year

(October 1, 2006 through September 30, 2009) software maintenance agreement with New World Systems Corporation for the following software application packages:

-----County Court Management Software (Base Package)

-----Additional Court Management Software

-----Other Court Management Software

at a total cost of EIGHTY FOUR THOUSAND SIX HUNDRED DOLLARS (\$84,600.00) and authorizing the County Judge to execute all relevant documents. Requested by M.I.S. Department, Account No. 001-0500-6411 (Repairs and Maintenance Software)]

Item No. 20. Discussion and possible action to approve a maintenance agreement with IBM for M.I.S. servers, printers, and tape drives for a period of one year (October 1, 2006 through September 30, 2007) in the amount of FIFTY EIGHT THOUSAND FOUR HUNDRED TWENTY DOLLARS (\$58,420.00) and authorizing the County Judge to sign all relevant documents. [Requested by MIS Dept. Acct. # 001-0500-6402]

Item No. 21. Discussion and possible action to enter into Mental Health Service Agreements for Children enrolled in the Webb County Head Start Program for a period of twentyfour (24) months, beginning August 1, 2006 through July 31, 2008 at reduced fees as set forth in the agreements, with the following Service Providers: Beth Anne Larson, LCSW and authorizing an exemption from section 262.023 Local Government Code (Competitive Bidding and Competitive Proposal Requirements) and authorizing the County Judge to execute all relevant documents.[Requested by Head Start.

Item No. 22. Discussion and possible action to approve a Professional Services Agreement with George Garcia for the USDA – Child and Adult Food Program for a period of one year and three months (October 1, 2006 through September 30, 2008) in the amount of THREE THOUSAND SEVEN HUNDRED EIGHTY-SEVEN DOLLARS (\$3787.00) and authorizing the County Judge to sign all relevant documents. [Requested by Head Start Dept. Acct. # 906-4209-6011]

Item No. 23. Discussion and possible action to enter into a three (3) year (October 1, 2006 to September 30, 2009) auditing contract with Garza, Martinez and Company, L.L.P to perform annual independent audits of Webb County at a total cost of not to exceed ONE HUNDRED AND EIGHTY SIX THOUSAND DOLLARS (\$186,000.00) and with an option to retain said firm for an

additional two (2) years at a total cost ONE HUNDRED AND FORTY THOUSAND DOLLARS (\$140,000.00), and authorizing the County Judge to execute all relevant documents. [Account # 001-0109-6021 Auditing and Accounting]

Item No. 24. Discussion and possible action to enter into a design-build construction contract with CG Construction Inc., D/B/A CC Construction in the amount not to exceed ONE HUNDRED SEVENTY THREE THOUSAND DOLLARS (\$173,000.00) for the construction of a Nutrition and Health Center to be located off Highway 359 next to the Self Help Center and authorizing the County Judge to sign all relevant documents. [Requested by Economic Development and Commissioner Judith Gutierrez]

Item No. 25. Discussion and possible action to enter into a contract with Justice Benefits, Inc to help the Sheriff apply for federal financial participation for federal reimbursement of the costs of housing illegal aliens at the Webb County Jail at the rate of 11% compensation for revenue up to \$115,000.00 (baseline) and 22% compensation for amounts over \$115,000.00 amount through Justice Benefit's efforts and authorizing the County Judge to sign all relevant documents. [Requested by Sheriff, Account No. 001-0300-3409-1 (Revenue)]

Item No. 26. Discussion and possible action to enter into a master grant agreement with the State of Texas through TxDOT to accept terms and conditions in order to qualify to apply for grants that fund CAA El Aguila Rural Transportation through August 31, 2011 and authorizing the County Judge to sign all relevant documents. [Requested by Community Action Agency – El Aguila; Account No. 980-4200-3501 (Grant Revenue)]

Item No. 27. Discussion and possible action to enter into a one (1) year (May 1, 2006 through April 30, 2007) Lease Renewal agreement with the City of Laredo International Airport for approximately 1000 square feet of office space constituting Building S-3 located at 1703 Sandman Street at a monthly rental fee of FIVE HUNDRED DOLLARS AND NO CENTS (\$500.00) for a total cost of SIX THOUSAND DOLLARS (\$6000.00) over the lease term, and authorizing the County Judge to Execute all relevant documents. [Requested by Head Start, Account No. 903-4207-612 (Space Rental)]

Item No. 28. Discussion and possible action to ratify the acceptance of a Financial Assistance Award from the U.S. Department of Commerce, Office of Economic Development Administration ("EDA"), in the amount of FOUR HUNDRED AND ELEVEN THOUSAND SEVEN HUNDRED AND FORTY-ONE DOLLARS (\$411,741.00) for the Webb County Rail District to help develop a master plan for the proposed Webb County rail bypass, and authorizing the County Judge to sign all relevant documents. [Requested by Economic Development].

Cmr. Sciaraffa motioned to approve items 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, and 28 as submitted. Cmr. Gutierrez seconded the motion.

Motion carried 5-0 by unanimous consent.

Item No. 29. Discussion and possible action to approve FY 2006/2007 Vehicle Capital Replacement (VCR) Grant Amendment #1, changing of fuel type, and authorizing the County Judge to sign all relevant documents.

Cmr. Sciaraffa motioned to approve item as submitted. Cmr. Gutierrez seconded the motion.

Motion carried 5-0 by unanimous consent.

Item No. 30. Discussion and possible action to approve the appointment of Chris Laurel, Executive Director of South Texas Council and Alcohol Drug Abuse , as a Community Representative, for Category "C" for the Community Action Agency Advisory Board, to fill a current vacancy.

Cmr. Gutierrez motioned to approve item as submitted. Cmr. Sciaraffa seconded the motion.

Motion carried 5-0 by unanimous consent.

Item No. 31. Discussion and possible action to approve conducting "Category B" Elections, to fill two current vacancies as per the Governing Regulations of the Advisory Board of the Webb County Community Action Agency, the Advisory Board shall be composed of membership that complies with the Community Services Block Grant Policy Issuance # 2002-2.3). Elections are to be held on Thursday September 7, 2006 for Representatives and Alternates AREA IX – El Cenizo and Tuesday September 12, 2006 AREA VIII – Rural Areas- Mirando, Oilton, Bruni and Aguilares.

Cmr. Gutierrez motioned to approve item as submitted. Cmr. Sciaraffa seconded the motion.

Motion carried 5-0 by unanimous consent.

Item No. 32. Discussion and possible action to fill slot #1903 Center Aide part-time/no benefits effective August 29, 2006. Funds are to come from account # 902-4200-5001.

Cmr. Gutierrez motioned to approve item as submitted. Cmr. Sciaraffa seconded the motion.

Motion carried 5-0 by unanimous consent.

Item No. 33. Discussion and possible action to fill slot # 1156, Caseworker, regular/full-time with benefits, for the Social Services program effective August 29, 2006. Funds are to come from account #920-4200-5001.

Cmr. Gutierrez motioned to approve item as submitted. Cmr. Sciaraffa seconded the motion.

Motion carried 5-0 by unanimous consent.

Item No. 34. Discussion and possible action to accept a continuation 2nd year grant in the amount of \$500,000 with no County match for the period of August 15, 2006 to August 14, 2007 from the Substance Abuse and Mental Health Services Administration (SAMHSA) and continuing the existing Memorandum of Understanding (MOU) with Association for the Advancement of Mexican-Americans (AAMA) for the provision of intervention, prevention and treatment of substance abuse services and authorize the County Judge to sign all relevant documents pertaining to this grant.

Cmr. Gutierrez motioned to approve item as submitted. Cmr. Sciaraffa seconded the motion.

Motion carried 5-0 by unanimous consent.

Item No. 35. Discussion and Possible Action Authorizing Change Order No. 2 to Zertuche Construction, Inc. for 71 additional days to their contract for the Villa Antigua Border Heritage Museum and Parking Improvements Project.

Cmr. Gutierrez motioned to approve item as submitted. Cmr. Sciaraffa seconded the motion.

Motion carried 5-0 by unanimous consent.

Item No. 36. Discussion and Possible Action Authorizing the County Engineer to issue Notice to Proceed to CG Construction for Phase II in the amount of \$284,781.00 & Phase III in the amount of \$236,501.00 of the Self Help Community Center Park Improvements and Authorizing that the Bond Series 2006 Precinct No. 2 Park Fund be used to pay for these improvements.

Cmr. Gutierrez motioned to approve item as submitted. Cmr. Sciaraffa seconded the motion.

Motion carried 5-0 by unanimous consent.

Item No. 37. Discussion and possible action to accept a request from Emilio Davila, Jr. and Felipe Sanchez, Jr., developers of the Mirasol Country Estates Subdivision, to name the private roads of said subdivision as Davila-Sanchez Rd., Country Estates Rd., and Mirasol South Rd., in accordance with the location map provided.

Cmr. Gutierrez motioned to approve item as submitted. Cmr. Sciaraffa seconded the motion.

Motion carried 5-0 by unanimous consent.

Item No.38. DISCUSSION AND POSSIBLE ACTION TO DISPOSE OF SURPLUS PROPERTY PURSUANT TO CHAPTER D DISPOSITION OF SALVAGE OR SURPLUS PROPERTY, SECTION § 263.151 THRU§ 263.158.

Cmr. Sciaraffa motioned to approve item as submitted. Cmr. Gutierrez seconded the motion.

Motion carried 5-0 by unanimous consent.

Item No. 39. Discussion and possible action to authorize the Purchasing Agent to Purchase thirty-nine (39) pairs of safety boots from Gateway Uniforms in the amount of \$4,873.10 for the Road & Bridge Department. Acct. 001-0108-6202; Uniforms ; BAL. \$5,000.

Cmr. Gutierrez motioned to approve item as submitted with discussion. Cmr. Sciaraffa seconded the motion.

Cmr. Gutierrez asked County Attorney that since part of item was left out if it could be amended right now. Mr. Homero Ramirez, County Attorney, mentioned that since there were not going to be any line

item transfer, that the Court could proceed and approve the \$9,002.60 rather than \$4,873.10. He mentioned that there is notice made that the purchase of boots is being requested, however, the amount of boots is what changes.

Cmr. Gutierrez motioned to approve item as submitted, however, Mr. Eloy Ramirez, Purchasing Agent, was to bring back to the Court the approval of other 21 boots. Cmr. Sciaraffa seconded the motion.

Motion carried 5-0 by unanimous consent.

Item No. 40. Discussion and possible action to approve the following annual contracts for the FY 2006-2007:
Bid 2007-14 Janitorial Supplies
Bid 2007-16 Electrical Supplies
Bid 2007-19 Pharmaceuticals
Bid 2007-20 Car Wash
Bid 2007-22 Bulbs & Lamps for the Justice Center
Bid 2007-32 Uniforms
Bid 2007-44 Hydraulic Cylinder Repairs & Assoc. Items

Cmr. Gutierrez motioned to defer Bid 2007-14. Cmr. Brunner seconded the motion.

Motion carried 5-0 by unanimous consent.

On Bid 2007-16, Mr. Eloy Ramirez, Purchasing Agent, stated that he recommended as a primary bidder Breaker International and secondary bidder was Consolidated Electric Distribution.

Cmr. Sciaraffa motioned to approve Bid 2007-16. Cmr. Gutierrez seconded the motion.

Motion carried 5-0 by unanimous consent.

Cmr. Gutierrez motioned to defer Bid 2007-19. Cmr. Sciaraffa seconded the motion.

Motion carried 5-0 by unanimous consent.

Mr. Ramirez stated on Bid 2007-20, he recommended as a primary bidder Royal Treat Car Wash, and secondary bidder was S. Lone Star Auto Plex.

Cmr. Gutierrez motioned to approve Bid 2007-20. Cmr. Brunner seconded the motion.

Motion carried 5-0 by unanimous consent.

Mr. Ramirez recommended Consolidated Electric Distribution as a primary bidder and Breaker International as a secondary bidder.

Cmr. Gutierrez motioned to approve Bid 2007-22. Cmr. Garza seconded the motion.

Motion carried 5-0 by unanimous consent.

Cmr. Gutierrez motioned to defer Bids 2007-32 and 2007-44. Cmr. Brunner seconded the motion.

Motion carried 5-0 by unanimous consent.

Item No. 41. Discussion and possible action for the Purchasing Agent to retain the professional services of Carrillo & Associates, Inc. Consulting Engineers for soil testing in the amount of \$12,125.00 for the Engineering Department. ACCT. 707-8001-6022-14; BAL \$12,300.00.

Cmr. Gutierrez motioned to approve item as submitted. Cmr. Sciaraffa seconded the motion.

Motion carried 5-0 by unanimous consent.

Item No. 42. Discussion and possible action to authorize the additional installation of carpeting in the amount of \$3,500.00 to Admiral Builders for the 111th Judicial District Court.. ACCT. 001-0105-9201-MAY06;BAL \$58,151.90.

Cmr. Gutierrez motioned to approve change order of \$3,500.00. Cmr. Brunner seconded the motion.

Motion carried 5-0 by unanimous consent.

Item No. 43. Discussion and possible action to approve the following bid and proposals:

Bid 2006-35 Security Guards for CSCD
Proposal 2006-18 Casa Blanca Golf Course
Proposal 2006-21 La Presa Community Center
Proposal 2006-22 Leasing Drug Testing Equipment
Proposal 2006-25 Inmate and Coin Telephone Service
Proposal 2006-26 Substance Abuse Treatment Services

Mr. Eloy Ramirez, Purchasing Agent, recommended on Proposal 2006-18, Professional Golf Services.

Cmr. Gutierrez motioned to approve Proposal 2006-18. Cmr. Brunner seconded the motion.

Motion carried 5-0 by unanimous consent.

Mr. Ramirez recommended to rebid on this proposal being that only one bidder was received.

Cmr. Gutierrez motioned to rebid on Proposal 2006-21. Cmr. Brunner seconded the motion.

Motion carried 5-0 by unanimous consent.

Mr. Ramirez recommended Dade Behring on Proposal 2006-22.

Cmr. Gutierrez motioned to approve Proposal 2006-22. Cmr. Brunner seconded the motion.

Motion carried 5-0 by unanimous consent.

Mr. Ramirez recommended that Proposal 2006-25 be deferred.

Cmr. Gutierrez motioned to defer Proposal 2006-25 and asked Mr. Ramirez to submit all proposals to the Court so that they can review all proposals that came in. Cmr. Garza seconded the motion.

Motion carried 5-0 by unanimous consent.

Mr. Ramirez recommended AAMA for Proposal 2006-26.

Cmr. Gutierrez motioned to approve Proposal 2006-26. Cmr. Garza seconded the motion.

Motion carried 5-0 by unanimous consent.

Item No. 44. Discussion and possible action to authorize the Purchasing Agent to Purchase three (3) 20' storage containers from The Mobile Storage Group in the amount of \$3,399.34 for the Head Start Program.

Cmr. Gutierrez motioned to approve item with discussion. Cmr. Garza seconded the motion.

Cmr. Gutierrez asked Mr. Eloy Ramirez what the total purchase amount would be for all 3 containers. Mr. Ramirez stated that it would be approximately about \$10,000.00.

Cmr. Gutierrez motioned to approve to purchase 3 storage container at \$3,399.34 each. Cmr. Brunner seconded the motion.

Motion carried 5-0 by unanimous consent.

Item No. 45. Discussion and possible action to solicit "Request for Proposals" to retain the services of an architectural firm to prepare plans and specifications for the construction of the Buenos Aires Community Center.

Cmr. Gutierrez motioned to approve item as submitted. Cmr. Garza seconded the motion.

Motion carried 5-0 by unanimous consent.

Mr. Carlos Villarreal, Executive Administrator, stated to the Court that there was no need for such item to be on agenda. He mentioned that since Court already approved, then only the actual proposals should be brought back to the Court.

Item No. 46. Discussion and possible action to reject the following proposal and bid:

P-2006-21 La Presa Community Center

Bid 2006-26 Webb County Regional Water Treatment Plant

Cmr. Gutierrez motioned to approve item as submitted. Cmr. Sciaraffa seconded the motion.

Motion carried 5-0 by unanimous consent.

Judge Bruni motioned to recess Court at 2:34 p.m. Cmr. Gutierrez seconded the motion.

Motion carried 5-0 by unanimous consent.

Cmr. Gutierrez motioned to open 2nd Public Hearing at 2:35 p.m. Cmr. Brunner seconded the motion.

Motion carried 5-0 by unanimous consent.

Official Minutes for Webb County Commissioners Court Special Meeting Public Hearing on Tax Revenue Increase

Item No. 1 Call to order by Judge Louis H. Bruni
Let it be remembered that a regular meeting of the Webb County Commissioners Court was held at 1:00 p.m. at the regular meeting place with the following members present to wit:

Louis H. Bruni

County Judge

Frank Sciaraffa	Commissioner, Pct. 1
Judith Gutierrez	Commissioner, Pct. 2
Jerry Garza	Commissioner, Pct. 3
Cindy Cortez-Brunner	Commissioner, Pct. 4

Thus constituting a quorum, the Commissioners Court proceeded to act upon the Agenda as posted in the meeting notice of the 25th of August 2006. Present also were Mrs. Imelda Diaz, Deputy County Clerk representing Mrs. Margie Ramirez Ibarra, Ex-officio Clerk of the Commissioners Court, various officers and others interested in the business of the Court.

Item No. 2 Roll Call – Margie Ramirez Ibarra, Webb County Clerk

Item No. 3 Pledge of Allegiance – Led by All

Item No. 4 Communications

No communications.

Item No. 5 Public Comment-This section provides the public the opportunity to address the Commissioners Court on any items on the Agenda. Members of the public wishing to participate must complete a Witness Card specifying which agenda item they wish to comment on. Each public member will be allowed a total of three (3) minutes within which to make any/all public comments.

No public comments.

Item No. 6 S.B. No. 18 Public Hearing on Tax Increase. Last year, the Webb County property tax rate was .437923. That rate raised \$44,089,520.00, a portion of which was used to fund operations such as law enforcement, judicial functions, county government, health and well fare, recreation and culture, community service, and other sources and uses. This year, Webb County is proposing a property tax rate of .420055. That tax rate will raise \$50,354,446.00, which is \$6,264,926.00 more than the taxes imposed last year. There will be two public hearings to consider that increase. This public hearing is the second and last of the two public hearings to consider that increase. The first public hearing was held on August 25, 2006, at the Webb County Courthouse,

Second Floor, 1000 Houston St., Laredo, TX, 78040. You have the right to attend the hearings and make comments. You are encouraged to attend and make comments if you wish.

Ms. Patricia Barrera, Tax Assessor, read agenda item. Judge Bruni asked if there were any public comments.

Anthony Peterson stated to the Court that he was against the item.

Mr. Homero Ramirez, County Attorney, recommended to the Court that no motion was need to close Public Hearing. Judge Bruni closed Public Hearing at 2:40 p.m.

Judge Bruni called Regular Commissioner's Court meeting back to order at 3:14 p.m.

Item No. 47. Discussion and possible action regarding Civil Action No. L-05-CV-191; Maricela Arredondo, et al. vs. Rick Flores, Sheriff of Webb County, Texas, and Webb County, Texas; In the United States District Court for the Southern District of Texas, Laredo Division. Discussion to include a status report by M'Liss Christian, attorney of record for defendants. [Executive Session is requested pursuant to Texas Government Code Title 5, Subchapter D, Section 551.071 (Consultation with Attorney)].

Item No. 48. Discussion and possible action regarding Civil Action No. L-05-CV-00129; Gregorio Castañeda, Jr. d/b/a Castañeda Bail Bonds vs. Webb County, Texas Sheriff Rick Flores, Individually and in his Official Capacity as the Sheriff of Webb County, and Webb County; In the United States District Court for the Southern District of Texas, Laredo Division. Discussion to include a status report by M'Liss Christian, attorney of record for defendants. [Executive Session is requested pursuant to Texas Government Code Title 5, Subchapter D, Section 551.071 (Consultation with Attorney)].

Item No. 49. Discussion and possible action regarding Cause No. 2006-CVQ-001252-D1; Mario A. Compean and Ruth Compean, Individually, and Jason Compean as Representative of the Estate of Eric Compean, vs. County of Webb; Webb County Sheriff's Department; Sheriff Rick Flores; and Former Sheriff Juan Garza, Individually; and John Does I – XL; In the 49th Judicial District Court of Webb County, Texas. [Executive Session is requested pursuant to Texas Government Code Title 5, Subchapter D, Section 551.071 (Consultation with Attorney)].

Mr. Homero Ramirez, County Attorney, recommended to the Court to table items 47, 48, and 49.

Cmr. Gutierrez motioned to table items 47, 48, 49. Cmr. Sciaraffa seconded the motion.

Motion carried 5-0 by unanimous consent.

Item No. 43. Discussion and possible action to approve the following bid and proposals:

Bid 2006-35 Security Guards for CSCD
Proposal 2006-18 Casa Blanca Golf Course
Proposal 2006-21 La Presa Community Center
Proposal 2006-22 Leasing Drug Testing Equipment
Proposal 2006-25 Inmate and Coin Telephone Service
Proposal 2006-26 Substance Abuse Treatment Services

Cmr. Gutierrez stated that the Court need to bring back Item No. 43.

Mr. Eloy Ramirez, Purchasing Agent, stated to the Court that as per County Clerk Margie Ramirez Ibarra, there had been no motion on Bid 2006-35.

Cmr. Gutierrez motioned to approve Bid 2006-35 to Alert Private Security Anytime, Inc. Cmr. Sciaraffa seconded the motion.

Motion carried 5-0 by unanimous consent.

Judge Bruni motioned to go into Executive Session at 3:20 p.m. Cmr. Gutierrez seconded the motion.

Motion carried 5-0 by unanimous consent.

Item No. 50. Discussion and possible action to grant Cerrito Gathering Company, Ltd. an easement for a "4 inch gas flow line" over the Webb County School Lands, 8,856.80 Acre Lease, Survey 1367, Abstract 417, C.&M.R.R. and Webb County School Land, Survey 1383, Abstract 503, situated in Webb County, and authorizing the County Judge to sign all relevant documents. [Executive Session is requested pursuant to Texas Government Code Title 5, Subchapter D, Section 551.071 (2) (Consultation with Attorney) and/or 551.072 (Deliberation regarding Real Property)]

Judge Bruni called meeting back to order from Executive Session at 3:31 p.m. Judge Bruni stated that there was no action taken. Mr. Homero Ramirez recommended to the Court to table item.

Addendum

Item No. 1 Discussion and possible action to enter into an eighteen (18) months (March 1, 2006 through August 31, 2007) rural transportation federal fund grant agreement (No.51522f7038) with the State of Texas, acting through the Texas Department of Transportation, wherein Webb County accepts a grant amount not to exceed THREE HUNDRED THOUSAND FOUR HUNDRED AND THIRTY-FOUR DOLLARS (\$300,434.00) for the "El Aguila" rural transportation program and authorizing the Webb County Judge to execute all relevant documents. This Grant will be used for to acquire and/or operate busses for rural public transportation. [Requested by Webb County CAA, "El Aguila" Rural Transportation]

Cmr. Gutierrez motioned to approve item as submitted. Cmr. Sciaraffa seconded the motion.

Motion carried 5-0 by unanimous consent.

Addendum

Item No. 2 Discussion and possible action to appoint Gjeriset & Lorenz, LLP as Escrow Representative under the Escrow Agreement between Webb County, Laredo Medical Center, Doctor's Hospital of Laredo, and Providence Surgical and Medical Center, and authorizing the County Judge to sign all relevant documents.

Addendum

Item No. 3 Discussion and possible action to approve a Needs Assessment of indigent health care needs and obligations in Webb County, and implementing recommendations to improve access, availability, efficiency, delivery, and funding for these services and authorizing the County Judge to sign all relevant documents.

Addendum

Item No. 4 Discussion and possible action to enter into an Escrow Agreement between Webb County, Laredo Medical Center, Doctor's Hospital of Laredo and Providence Surgical and Medical Center for maintenance of funds submitted by the County to the state as the non-Federal share of the Webb County UPL (the Webb County Medicaid supplemental program developed for the affiliated hospitals), and authorizing the County Judge to sign all relevant documents.

Judge Bruni motioned to table Addendum items 2, 3, 4. No one seconded the motion. Motion died.

Mr. Homero Ramirez recommended to the Court to take Addendum items 2, 3, 4 into Executive Session. However, he requested that items be taken by Addendum items 3, 4, 2.

Mr. Ramirez stated that there would be no changes brought to the Indigent Services Department. Cmr. Sciaraffa asked who would administer program. Mr. Ramirez stated that it would still be administered by the Indigent Service Department.

Judge Bruni stated that he had not read the documents since he had just received them. Cmr. Sciaraffa and Cmr. Brunner agreed. Cmr. Brunner asked if there was an urgency or a deadline on a vote. Mr. Ramirez stated that the sooner the approval the better since there was substantial administrative work to be done.

Counselor Carlos Zaffirini Sr., mentioned that the urgency was that the hospitals were in great need of these funds. He emphasized to the Court that there were no changes being brought to the Indigent Services Department and that it will not cost to the County anything.

Judge Bruni stated that he would like an opportunity to read the documents and to take to another attorney for approval. Counselor Zaffirini mentioned that the County Attorney had already reviewed documents and approved them.

Cmr. Gutierrez stated that she relies on Mr. Homero Ramirez to interpret contracts.

Judge Bruni stated that if the federal funds are guaranteed? Mr. Ramirez mentioned that they are. Counselor Zaffirini stated that the funds have been there since federal funds were approved.

Comr. Brunner stated that she agrees with Comr. Gutierrez, however, she would like more time to review documents and if the decision for approval was good right now that it would be good in two weeks.

Comr. Brunner motioned to table items 2, 3, and 4 for the next Commissioner's Court meeting. Judge Bruni seconded the motion.

Motion carried 4-0 with Comr. Gutierrez opposed. .

Addendum
Item No. 5

Discussion and possible action to grant Cerrito Gathering Company, Ltd. an easement for "4 inch gas flowline" over the Webb County School Lands, 8,856.80 Acre Lease, Survey 1367, Abstract 417, C.&M.R.R. and Webb County School Land, Survey 1383, Abstract 503, situated in Webb County, and authorizing the County Judge to sign all relevant documents. **[Executive Session is requested pursuant to Texas Government Code Title 5, Subchapter D, Section 551.071 (2) (Consultation with Attorney) and/or 551.072 (Deliberation regarding Real Property)]**

Mr. Homero Ramirez, County Attorney advised the Court that this item had already been discussed being that it was the same as Item 50.

Judge Bruni motioned to go into Executive Session at 4:08 p.m. Comr. Gutierrez seconded the motion.

Motion carried 5-0 by unanimous consent.

Addendum
Item No. 7

Discussion and possible action to enter into Memorandum of Understanding with Laredo Independent School District, United Independent School District and Webb Consolidated School District concerning reimbursement of Permanent School Funds held by Webb County as trustees for the school districts and authorizing the County Judge to sign all relevant documents. **[Executive Session is requested pursuant to Texas Government Code Title 5, Subchapter D, Section 551.071 (Consultation with Attorney).]**

Judge Bruni called meeting back to order from Executive Session at 5:07 p.m.

Judge Bruni mentioned that there was no action taken on Addendum Items 6 and 7.

Cmr. Gutierrez stated that Mr. Homero Ramirez, County Attorney, should get together with Mr. Carlos Villarreal, Executive Administrator, and Mr. Leo Flores, County Auditor, to discuss items.

Cmr. Gutierrez motioned to defer Addendum Item 7. Cmr. Garza seconded the motion.

Motion carried 5-0 by unanimous consent.

Addendum
Item No. 6

Discussion and possible action to approve the contract with the firm of Cavazos & Morales, LLP for delinquent tax collection services beginning June 13, 2006 and any matters incident thereto, and authorizing the County Judge to sign all relevant documents.
[Executive Session is requested pursuant to Texas Government Code Title 5, Subchapter D, Section 551.071 (Consultation with Attorney).]

Cmr. Gutierrez motioned to approve item as submitted. Cmr. Sciaraffa seconded the motion.

Mr. Leo Flores, County Auditor, stated to the Court that he didn't know how the Court could approve a contract that did not exist. He mentioned that the Court had previously done such approval with the Golf Course and it has brought in a lot of problems. He stated that if he remembered correctly, Cmr. Gutierrez had said before that the Court should not vote on a contract that does not exist. He mentioned that tax attorneys should not get paid more than what they collect. He stated that the Court should follow what the RFP states.

Cmr. Gutierrez stated that she never mentioned that the Court should not vote on a contract that doesn't exist, however, she stated that Court should not vote on contract that has a lot of legal issues.

Cmr. Garza asked Mr. Ramirez if he would come back for the Court's approval on the finalized contract. Mr. Ramirez acknowledged. Cmr. Garza stated that if was unfortunate that both County Attorney and County Auditor disagreed on contract, however, it would be up to the Court to determine what will happen.

Cmr. Gutierrez motioned to approve item as submitted. Cmr. Sciaraffa seconded the motion.

Motion carried 4-0 with Judge Bruni opposed.

Item No. 51. Adjournment

Judge Bruni motioned to adjourn meeting. Cmr. Gutierrez seconded the motion.

Motion carried 5-0 by unanimous consent.